

DOCKET NO. 103413CIP
Serial No. 09/847,913
Response to office action dated 10/21/04

PATENT

REMARKS

Claims 1-2, 6-8, 11-17 and 19-22 are in the case.

Claim 1, drawn to the method of the invention, has been amended to require the unique identifier to be electronically recorded in an RFID, to provide consumer purchase or owner identification and retail purchase date data to a manufacturer or other warrantor wherein the manufacturer or other warrantor registers a warranty with respect to the product upon receiving the data, and also providing means to read the unique identifier at package delivery service locations; and providing a web server computer system which, upon reading a unique identifier on a defective product which is picked up by the package delivery service or brought to a package delivery service location, authorizes the package delivery service to deliver the defective product to a warranty return location or indicates that the warranty is not in force.

The features of providing a lost and found system comprising the steps of marking each product with return instructions and a reward offer to any person who finds said product after it has been lost; and offering to return each product to a registered owner in the event said product is lost and returned by said person who finds it if said owner provides data comprising owner identification and date said product was purchased at retail are now in dependent claim 21 since those features are optional and not required. The feature wherein the return instructions comprise a reward offer to any person who finds the product after it has been lost is now in dependent claim 22 since that feature is also optional.

The double patenting rejection over copending S. N. 09/833,273 will be overcome by expressly abandoning that application upon indication of allowability of the present application.

The double patenting rejection over U.S. Pat. 6,259,367 will be overcome by a terminal disclaimer which will be filed upon indication of allowability of the present application.

Reconsideration of the 35 U.S.C. 101 rejection is requested. The invention is to a method which has industrial applicability and certainly could not be met by putting a name-tag on an object with return instructions.

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Claim 1 was rejected under 35 U.S.C. 112 for lack of antecedent basis for the term "said warranty." This ground is obviated by the present amendment.

Claim 5 was rejected under 35 U.S.C. 112 for lack of antecedent basis for certain terms.

Claim 5 has been cancelled, which obviates this ground of rejection.

Claim 7 was rejected under 35 U.S.C. 112 for lack of antecedent basis for the terms "said free return service," which is obviated by the present amendment.

Claims 1, 2, 5-11 & 18 were rejected as obvious over Rose. As discussed in a telephone interview with Examiner Fisher, Rose does not disclose the a "method for expediting warranty service on defective products comprising: providing a unique identifier on or within each product, the unique identifier electronically recorded in a Radio Frequency Identification Device (RFID) transponder; providing consumer purchaser or owner identification and retail purchase date data to a manufacturer or other warrantor; wherein the manufacturer or other warrantor registers a warranty with respect to the product upon receiving the data; providing means to read the unique identifier at package delivery service locations; and providing a web server computer system which, upon reading a unique identifier on a defective product which is picked up by the package delivery service or brought to a package delivery service location, authorizes the package delivery service to deliver the defective product to a warranty return location or indicates that the warranty is not in force." Examiner Fisher agreed and indicated that additional searching was required to determine if prior art existed which would lead one to the present invention.

Certain dependent claims were rejected over Rose in view of Aspell et al and/or Vorobiev. Since the one independent claim in the application defines an invention which is patentable over Rose, as discussed in the telephone interview, it is not necessary to discuss the secondary references cited against the dependent claims.

Unless the Examiner uncovers prior art which teaches or suggests the present invention, applicant requests withdrawal of all present grounds of rejection and an early notice of allowance.

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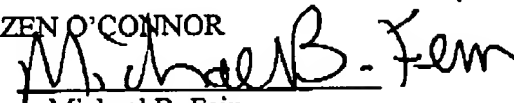
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It is believed that these amendments put the application in condition for allowance.

Respectfully Submitted,

COZEN O'CONNOR

By:



Michael B. Fein

Reg. No. 25,333

Cozen O'Connor

The Atrium

1900 Market Street

Philadelphia, PA 19103

(215) 665-4622(v)

(215) 701-2246 (f)

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